

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

| | | |
|----------------------------|---|-------------------------------|
| JOSHUA WADE CARTER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CIV-19-00058-PRW-STE |
| |) | |
| OFFICER CRONISTER, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation (Dkt. 38) in connection with this action on February 23, 2021, recommending that this action be dismissed without prejudice and that Plaintiff's "Motion to Cancel Court Cost and Return Paid Amount" (Dkt. 35) be denied.


Plaintiff was advised that he had a right to object to the Report and Recommendation by March 12, 2021, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72, and that failure to make a timely objection would waive any right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 38). No objections have been filed as of this date. Having failed to object, Plaintiff has accordingly waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 38).¹

¹ *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059–60 (10th Cir. 1996); *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *cf.* 28 U.S.C. § 636(b)(1) (requiring a district judge to "make a de novo determination of those portions of the report

Upon review of the Report and Recommendation (Dkt. 38), the Court:

- (1) **ADOPTS** in full the Report and Recommendation (Dkt. 38) issued by the Magistrate Judge on February 23, 2021;
- (2) **DENIES** Plaintiff's "Motion to Cancel Court Cost and Return Paid Amount" (Dkt. 35); and
- (3) **DISMISSES** this case **WITHOUT PREJUDICE**.

IT IS SO ORDERED this 24th day of March 2021.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE

or specified proposed findings or recommendations to which objection is made" but otherwise permitting a district judge to review the report and recommendations under any standard it deems appropriate).